

LAWRENCE GIBBS
SBN 98866
P.O. Box 7639
Berkeley, California 94707
Tel: (510) 525-6847

CLIFF GARDNER
SBN 93782
19 Embarcadero Cove
Oakland, CA 94606
(510) 534-9404

Attorneys for Petitioner
Richard Stewart

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD STEWART,
Petitioner,

v.

RODERICK Q. HICKMAN, in his capacity as
Secretary of the California Department of Corrections,
Respondent.

No. C05-04144 WHA

**Stipulation & Order for
Enlargement of Time
to File Traverse**

Pursuant to Habeas Local Rule 2254-6, and Civil Local Rule 6-3, petitioner and respondent, by and through their counsel of record, hereby submit, for the Court's approval, this stipulation for a 30-day enlargement of time for petitioner to file his Traverse to the Answer to the Petition for Writ of Habeas Corpus.

Recitals

1. The First Amended Petition was filed on January 20, 2006.
2. The Court issued an Order to Show Cause on January 31, 2006, and a Revised Order to Show Cause on March 27, 2006.
3. Respondent sought, and received, four enlargements to time to file his Answer.

4. Respondent filed his Answer to the Petition on September 26, 2006. Respondent's memorandum in support of his answer was filed October 20, 2006.

5. Petitioner's traverse to the answer is due November 20, 2006.

6. Petitioner requires an additional 30 days to prepare and file his traverse.

WHEREFORE, the parties, by and through their attorneys of record, hereby stipulate to an enlargement of time of 30 days, to and including December 20, 2006, in which petitioner may file his traverse to the answer to the petition.

IT IS SO STIPULATED.

Dated: November 17, 2006

/s/
Lawrence A. Gibbs
Attorney for Petitioner

Dated: November 17, 2006

/s/
Mark S. Howell
Attorney for Respondent

IT IS SO ORDERED.

Dated: November 17, 2006

United States District Judge